

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE: ROSELLA BUREN Debtor)))))))	CASE NO: 23-42045 Chapter 13 Trustee's Objection to Confirmation Original Confirmation Hearing set for : July 27, 2023 11:00 am
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TRUSTEE'S OBJECTION TO CONFIRMATION OF 2ND AMENDED PLAN

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. The set monthly payments to be made by the Trustee exceed the plan payment.
2. The plan is ambiguous or incapable of ascertainment (11 U.S.C. §§ 1321 & 1325(a)(3)) because:
The mortgage creditor listed in paragraph 3.3(D) ["Wells Fargo"] is different from the creditor in 3.5(A) ["BOA"]. The plan can only pay arrears for debts listed in 3.3(C) or (D), not to a different creditor.
3. The plan does not contain enough funds to pay secured and priority creditors in full and pay the amount guaranteed to general unsecured creditors (if any). 11 U.S.C. §§ 1322(a)(2) and 1325(a)(5)(B)(ii). The approximate amount of the shortfall is \$88,698.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: August 23, 2023

OBJCONF--JMP

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660

Attorney for Trustee

P.O. Box 430908

St. Louis, MO 63143

(314) 781-8100 Fax: (314) 781-8881

trust33@ch13stl.com

23-42045

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08/23/2023

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on August 23, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on August 23, 2023.

ROSELLA BUREN
16305 HAMPDEN PL
FLORISSANT, MO 63034

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660